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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,143	08/04/2003	Arturo Sordo Miralles	2773-1-001	5092

7590 02/08/2006

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EXAMINER
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ROUTIER, RAMSES P

ART UNIT	PAPER NUMBER
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2688

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/634,143	<b>Applicant(s)</b> MIRALLES ET AL.	
	<b>Examiner</b> Ramses Routier	<b>Art Unit</b> 2688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                              |                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: <u>20030801</u> | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 8/4/2003 has not been considered.

### ***Drawings***

2. The drawings were received on 8/4/2003. These drawings are acceptable.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Henry-Labordere (US PAT. 6512926).

Regarding claim 1, Henry Labordere teaches in figures 8 & 9 a SYSTEM OF INTERCONNECTING A REMOTE SERVER WITH A SHORT MESSAGE SERVICE CENTRE (SMSC) THROUGH INTERNET, which allows short messages (SMS) to be sent between a remote server (1) and a mobile telephone user (7), which is in communication with a short message service centre (5) (SMSC) on a GSM network, characterized in that remote server (1) communicates with the SMSC (5) via an Internet hypertext transfer protocol (http), for which both the SMSC (5) and remote server (1) have means (2, 3, 8, 9) of bi-directional transmission/reception of short messages via

the protocol (http) ( i.e. user messages are transferred from a wireless communication network to the internet using short message system, (figures 8 & 9, col. 12, lines 11-29).

Regarding claim 2, Henry Labordere teaches in figure 5 a system characterized in that the transmission/reception is defined by a client module (2, 8) and by a server module (3, 9), client modules (2, 8) comprising an SMS-http message composition block (59) which composes short messages adapted for their transmission via the internet http protocol, also having a block for transmission of SMS-http messages (64) to server module (3, 9) to which it is desired to send them; and server modules (3, 8) comprising an SMS-http message reception block (29) and a data analysis block (30) which has access to a database (32) to verify the data of originator, addressee of the message and access code, and as a function of this verification it generates a return code (23) signaling data correct or data errored ( figure 5, col. 8, lines 30-43).

Regarding claim 3, Henry Labordere teaches in figure 5 a system characterized in that server module (9) of the SMSC (5) comprises a composition block of SMS messages proper (33) which composes said SMS message from the SMS-http message (figure 5, col. 8, lines 51-63).

Regarding claim 4, Henry Labordere teaches in figure 1 a system characterized in that client modules (2, 8) comprise means (35) of calculating HASH (security functions (63); and in that the server modules (3, 9) comprise means of confirming the HASH security functions (35), in order to generate a return code (27) which enables or denies a connection as a function of the HASH sent and obtained (figure 1, col. 3, lines 25-49).

Regarding claims 5 & 6, Henry Labordere teaches characterized in that client modules (2, 8) have encoding means (62) and server modules (3, 9) have decoding means (34), to allow more characters and symbols to be sent/received (figure 4, col. 7, lines 31-53).

Regarding claim 7, Henry Labordere teaches characterized in that SMS composition block (33) of the server module of the SMSC (5) has means of translating from the SMS-http message to GSM characters, prior to composing the SMS message, to allow this to be sent via the GSM network (figure 9, col. 10, lines 55-67).

Regarding claim 8, Henry Labordere teaches in figure 1 characterized in that client modules (2, 8) have means of segmentation of the information in order to send longer messages (figure 1, col. 1, lines 51-63).

Regarding claim 9, Henry Labordere teaches in figure 2 a system characterized in that the means of segmentation of client module (2, 8) are foreseen in message composition block (59) (figure 2, col. lines 53-65).

Regarding claim 10, Henry Labordere teaches characterized in that server modules (3, 9) have means of segmentation of the information in order to send longer messages (figure 4, col. 7, lines 31-67).

Regarding claim 11, Henry Labordere teaches characterized in that the means of segmentation of server module (3, 9) are foreseen in message composition block SMS (33) (figure 5, col. 8, lines 31-43).

Regarding claim 12, Henry Labordere teaches characterized in that mandatory and optional parameters of the short messages are sent (figure 2, col. 3, lines 53-65).

Regarding claim 13, Henry Labordere teaches characterized in that short message composition block (33) of server module (3, 9) has means for recovery of the mandatory and optional parameters, and in the event that the optional parameters are omitted it inserts default values (figure 3, col. 3, lines 53-65).

Regarding claim 14, Henry Labordere teaches in figure 5 a system characterized in that client modules (2, 8) have means of generating acknowledgement of receipt, which are sent through message transmission block (64) to the corresponding server module (3, 9) and in that client modules (2, 8) also have means of transmitting the result of the acknowledgement of receipt to server module (3, 9) of client module (2, 8) that generated the acknowledgement of receipt in the first instance (figure 5, col. 8, lines 64-67 & col. 9, lines 1-11).

Regarding claim 15, Henry Labordere teaches characterized in that server modules (3, 9) have a return code transmission block (37) to indicate that the transmission has been corrected or has been errored; and in this last case to identify the type of error produced; and in that client modules (2, 8) have a return code reception block (58) (figure 5, col. 9, lines 49-64).

Regarding claim 16, Henry Labordere teaches characterized in that means of reattempting transmission of failed messages a certain number of times have been foreseen and of reattempting transmission of acknowledgement of receipt messages a certain number of times (figure 5, col. 7, lines 31-56).

Regarding claim 17, Henry Labordere teaches characterized in that the SMS is sent from remote server (1) to the mobile telephone user (7) and/or from the mobile telephone user (7) to remote server (1) (figure 9, col. 10, lines 40-67).

Regarding claim 18, Henry Labordere teaches characterized in that client module (8) and server module (9) of the operator of the mobile telephony network (6) have means of simultaneous communication with a plurality of remote servers (1), to furnish simultaneous connection to a mobile telephone user (7) with a plurality of remote servers (1) (figure 8, col. 12, lines 11-21)

### ***Conclusion***


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramses Routier whose telephone number is 571-272-8893. The examiner can normally be reached on Monday-Friday 7:30 am - 4:00 pm ETS.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2688

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rroutier *RR*  
February 2, 2006

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER